IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No. 18553 of 2001

Between:
P.V.Ramana Rao and 2 others

….. PETITIONERS

AND
Government of Andhra Pradesh, rep.by its
Principal Secretary, Municipal Administration,
Secretariat, Hyderabad and 2 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.18553 of 2001

ORDER:

The writ petition is filed by the petitioners, alleging that the 2nd respondent/Municipal Corporation has been pumping the drain water into the lands of the petitioners, which are agricultural lands, thereby preventing the petitioners from raising agricultural crops.

It is stated that in order to avoid sanitation problems of the newly developed colonies, which had no underground drainage system, the Municipal Corporation, Vijayawada has been pumping the drain water into the neighbouring agricultural lands, thereby effecting the paddy crops that are being raised by the petitioners for the past three years. Though number of representations have been made to the Corporation, the Corporation has not changed its activity of pumping drain water into the agricultural fields of the petitioners, therefore, the present writ petition is filed.

No interim order was passed while admitting the writ petition. Similarly, though the writ petition is pending for the last six years, no counter has been filed by the respondents. However, it is a matter to be ascertained as to whether the Corporation has been pumping the drain water, which is causing submergence of the agricultural lands of the petitioners, causing damage to the lands and crops raised thereon, and could be adjudicated before a Civil Court, and not by way of a writ petition.

Under the above circumstances, the Writ Petition is dismissed, directing the petitioners to approach the competent civil Court for

redressal, if the petitioners are advised to do so. No order as to costs.

S.ANANDA REDDY,J

Dated: 04.07.2007
Dsr